

U.S. Patent Application NAKATSU et al  
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**VERSION WITH MARKINGS TO SHOW  
CHANGES MADE (IN THE CLAIMS)**

1. {TWICE AMENDED} A light -emitting diode comprising:  
a semiconductor substrate; and  
a layered structure comprising [, made of] an AlGaInP type compound semiconductor material and provided on the semiconductor substrate,  
wherein the layered structure comprises:  
a light-emitting structure composed of a pair of cladding layers and an active layer for emitting light provided between the pair of cladding layers; and  
a current diffusion layer comprising an AlGaInP type material which is lattice-mismatched with the light-emitting structure, wherein a lattice mismatch  $\Delta a/a$  of the current diffusion layer with respect to the light-emitting structure defined by the following expression is -1 % or smaller:

$$\Delta a/a = (a_d - a_e)/a_e$$

where  $a_d$  is a lattice constant of the current diffusion layer, and  $a_e$  is a lattice constant of the light-emitting structure.

14. {ONCE AMENDED} A light-emitting diode, comprising:  
a semiconductor substrate; and  
a layered structure comprising an AlGaInP type compound semiconductor material provided on the semiconductor substrate, the layered structure comprising:  
a light-emitting structure comprising a pair of cladding layers and an active layer for emitting light provided between the pair of cladding layers;  
a current diffusion layer comprising an AlGaInP type material which is lattice-mismatched with the light-emitting structure and the semiconductor substrate; and  
wherein  
the semiconductor substrate is inclined in a [011] direction with respect to a (100) plane thereof.